REMARKS

This application has been reviewed in light of the Office Action dated June 17, 2004. Claims 1-11 and 18-34 are pending in this application. Independent Claims 32-34 have been added to provide Applicant with a more complete scope of protection. Claims 1, 18, 22, and 26-28, all of which are independent claims, have been amended to define still more clearly what Applicant regards as his invention, in terms that distinguish over the art of record. Favorable reconsideration is requested.

The Office Action rejected Claims 1-11 and 18-31 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,838,678 (Davis et al.). Applicant respectfully traverses this rejection.

Applicant submits that independent Claims 1, 18, 22, and 26-28, together with the remaining claims dependent thereon, are patentably distinct from Davis et al. at least for the following reasons.

The aspect of the present invention set forth in Claim 1 is an information processing apparatus that includes an input means for inputting variable length packet data including packet length information indicative of a packet length and encoded information data, a judgment means for judging the packet length of the variable length packet data, and a packet generating means for generating the variable length packet data into fixed length packet data in accordance with an output of the judgment means, and transmitting the fixed length packet data.

The packet generating means includes a memory means for generating fixed length data, in which memory means is initialized by writing stuffing data thereinto in advance, and the packet generating means generates the fixed length data by writing the variable length packet data into the initialized memory means in accordance with the packet length judged by the

judgment means and reads out the data from the memory means. In addition, the packet generating means generates the fixed length packet data to which the stuffing data is added, in case that the variable length packet data to be written into the memory means is shorter than a predetermined length.

Among other important features of Claim 1 is that an information processing apparatus having the features recited in Claim 1 is arranged so as to generate fixed length data by writing variable length packet data into a memory which is initialized with stuffing data (e.g., S203 in Fig. 6).[1] In accordance with packet length and reading out the data from the memory, the apparatus generates the fixed length packet data to which the stuffing data is added, in case that the variable length packet data to be written into the memory is shorter than a predetermined length (e.g., page 16, lines 3-20 (adaptation field)). In an apparatus having the features recited in Claim 1, even when the length of the variable packet data is shorter than that of the fixed length packet data, the fixed length packet data can be generated by multiplexing the stuffing data of optimum length therewith.

Davis et al., as understood by Applicant, relates to a method and device for preprocessing streams of encoded data to facilitate decoding streams back to back. In Davis et al., Figure 9 shows the inserting of private buffer packet into a memory 932 (see, e.g., col. 10, lines 30-38) when a TS packet data is transmitted. Applicant submits, however, that nothing has been found in Davis et al. that would teach or suggest that the private buffer packet is added to the TS packet data in accordance with length of data to be written into the memory 932 and therefore fails to teach the packet generating means recited in Claim 1.

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[1] It is to be understood, of course, that the scope of the claims is not limited by the details of this embodiment.

Accordingly, Applicant submits that at least for this reason, Claim 1 is patentable over Davis et al.

Method Claim 26 corresponds to apparatus Claim 1 and is therefore allowable over Davis et al. at least for the same reasons as discussed above in relation to Claim 1.

The aspect of the present invention set forth in Claim 18 is an information processing apparatus that includes a first generating means for generating variable length packet data including encoded information data, a second generating means for generating and transmitting first fixed length packet data from the variable length packet data generated by the first generating means, and a generating means for generating clock reference information for use in a time reference during decoding of the encoded information data.

In the apparatus, the second generating means generates second fixed length packet data including the clock reference information and transmits the second fixed length packet data within a predetermined time interval, and compulsorily transmits the second fixed length packet data regardless of the predetermined time interval when there is no effective first fixed length packet data.

Among other important features of Claim 18 is an information processing apparatus having the features recited in Claim 18 is arranged to generate second fixed length packet data including clock reference (or program specific) information and to transmit the second fixed length packet data within a predetermined time interval. The apparatus compulsory transmits the second fixed length packet data regardless of the predetermined time interval when there is no effective first fixed length packet data. An apparatus having the features recited in Claim 18 avoids transmitting null packets (also referred to as "stuffing data) and therefore attains efficient transmission of the second fixed length packet data and an improved error proof

arrangement (see, e.g., the specification, from page 4, line 25, to page 5, line 17).

Davis et al. discusses that TS packet data includes PCR or PSI (see, e.g., col. 11, lines 4, to col. 12, line 6). Applicant submits, however, that nothing has been found in Davis et al. that would teach or suggest generating second fixed length packet data including clock reference (or program specific) information, transmitting the second fixed length packet data within a predetermined time interval, and compulsory transmitting the second fixed length packet data regardless of the predetermined time interval when there is no effective first fixed length packet data, as recited in Claim 18.

Accordingly, Applicant submits that at least for this reason, Claim 18 is patentable over Davis et al.

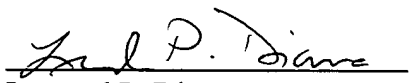
Claims 22, 27, and 28 include features similar to Claim 18 and are therefore allowable for at least the same reasons as discussed above in relation to Claim 18. In addition, Claims 32-34 correspond to Claims 1, 18, and 22, the only difference being that Claims 32-34 are in non-means-plus claim formats, and are therefore allowable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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